

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRUSTEES OF THE SUBURBAN TEAMSTERS )  
OF NORTHERN ILLINOIS WELFARE AND )  
PENSION FUNDS, )  
Plaintiffs, )  
v. ) Case No.: 2022 C 7177  
MOM & 3 SONS TRUCKING, LLC., )  
an Illinois limited liability corporation )  
Magistrate Judge Jeffrey Cummings  
Defendant. )  
Judge Martha M. Pacold

**MOTION FOR JUDGMENT IN SUM CERTAIN**

NOW COME the Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, LLP and pursuant to FRCP 55(b)(2) move for judgment in sum certain as stated in this Motion and the supporting Affidavits attached hereto as Exhibits 1 and 2. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on December 21, 2022 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service was made upon MOM & 3 SONS TRUCKING, LLC., an Illinois limited liability corporation on January 2, 2023.
3. On February 14, 2023 this Court found that Defendant, MOM & 3 SONS TRUCKING, LLC., an Illinois limited liability corporation, in default pursuant to Fed.R.Civ.P. 55(a).

4. Defendant is now in default on the Complaint and as supported by the attached Affidavits (Exhibits 1 and 2) the sums due are:

\$111,721.92	Welfare (Jose Colin Affidavit)
\$123,357.41	Pension (Jose Colin Affidavit)
\$7,312.50	Attorneys fees (John J. Toomey Affidavit)
\$723.00	Costs
<u>\$250.00</u>	Appearance in Court on Motion for Judgment
\$243,364.83	Total

WHEREFORE, Plaintiffs pray for:

1. Entry of judgment in a sum certain against Defendant, MOM & 3 SONS TRUCKING, LLC., an Illinois limited liability corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS PENSION AND WELFARE FUNDS in the amount of \$243,614.83 with no just reason for delay in enforcement under FRCP 54(b).

TRUSTEES OF THE SUBURBAN TEAMSTERS  
OF NORTHERN ILLINOIS PENSION AND  
WELFARE FUNDS

s/John J. Toomey  
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Dated: June 8, 2023